

**House Education Committee Amendment No. 1, as amended**

**Amendment No. 1 to HB3418**

**Winningham**  
**Signature of Sponsor**

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

**AMEND Senate Bill No. 2554\***

**House Bill No. 3418**

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-6-4215, is amended by deleting the section in its entirety and by substituting instead the following language:

(a) The LEAs of this state are hereby authorized to promulgate and adopt rules and regulations to prohibit the activities of criminal gangs on school property. Such rules and regulations may prohibit students in grades six through twelve (6-12) from:

(1) Wearing, while on school property, any type of clothing, apparel or accessory, including that which denotes such students' membership in or affiliation with any criminal gang;

(2) Any activity that encourages participation in a criminal gang or facilitates illegal acts of a criminal gang; and

(3) Any conduct that is seriously disruptive to the educational process or endangers persons or property.

(b) The local law enforcement agency shall advise the local board, upon request, of criminal gangs and associated criminal gang activity.

(c) As used in this section, "criminal gang" means a formal or informal ongoing organization, association, or group consisting of three (3) or more persons that has:

(1) As one (1) of its activities the commission of criminal acts; and

(2) Two (2) or more members who, individually or collectively, engage in or have engaged in a pattern of criminal gang activity.

SECTION 2. Tennessee Code Annotated, Title 49, Chapter 6, Part 10, is amended by adding the following language as a new, appropriately designated section:

§ 49-6-10\_\_\_. Each LEA, in consultation with local law enforcement, shall annually evaluate the threat to and influence on school children by gangs in the community. If the LEA finds that there is a substantial threat to or influence on school children by gangs, then the LEA shall institute gang awareness education for elementary and middle school students and their parents in schools in neighborhoods with gang activity or the potential for gang activity. The purpose of such curriculum shall be to strengthen students' abilities to resist engagement in gangs and gang-like activities and to help parents guide their children away from gangs and gang influence by providing information and understanding of gangs and gang activities. The curriculum for elementary and middle school students shall be a part of the regular curriculum of such schools and shall be taught by a certified school counselor. The department of education shall assist LEAs in development of curricula appropriate to each LEA's circumstances.

SECTION 3. This act shall take effect July 1, 2008, the public welfare requiring it.